

AMENDED IN ASSEMBLY AUGUST 25, 2005

AMENDED IN ASSEMBLY AUGUST 15, 2005

AMENDED IN ASSEMBLY JULY 13, 2005

AMENDED IN SENATE APRIL 5, 2005

SENATE BILL

No. 724

Introduced by Senator Scott

(Coauthors: Senators Ashburn, Battin, Cedillo, Ducheny, Dutton, Escutia, Florez, Kehoe, Kuehl, Lowenthal, Maldonado, Margett, Murray, Perata, Romero, Runner, Soto, and Vincent)

(Coauthors: Assembly Members Arambula, Baca, Bermudez, Bogh, Calderon, Chavez, Cohn, Coto, De La Torre, Dymally, Emmerson, Garcia, Jerome Horton, Shirley Horton, Houston, Huff, Jones, La Suer, McCarthy, Montanez, Mountjoy, Mullin, Negrete McLeod, Nunez, Parra, Plescia, Ridley-Thomas, Ruskin, Saldana, Salinas, Strickland, Torrico, Vargas, and Villines)

February 22, 2005

An act to add Article 4.5 (commencing with Section 66040) to Chapter 2 of Part 40 of the Education Code, relating to public postsecondary education.

LEGISLATIVE COUNSEL'S DIGEST

SB 724, as amended, Scott. Public postsecondary education: California State University: Doctor of Education degrees.

Existing law, known as the Donahoe Higher Education Act, sets forth, among other things, the missions and functions of California's public and independent segments of higher education, and their respective institutions of higher education. Provisions of the act do not

apply to the University of California unless the regents of the university act, by resolution, to make them applicable.

Among other things, the act provides that the University of California has exclusive jurisdiction in public higher education to award the doctoral degree in all fields of learning, except that it may agree with the California State University to award joint doctoral degrees in selected fields. With respect to doctoral degrees, the act limits the California State University to awarding these degrees jointly with the University of California, as described above, or jointly with independent institutions of higher education, provided that the proposed doctoral program is approved by the California Postsecondary Education Commission.

This bill would instead authorize the California State University to award the Doctor of Education degree, and prescribe standards for the awarding of that degree. The bill would require the California State University, the Department of Finance, and the Legislative Analyst's Office to jointly conduct, in accordance with prescribed criteria, a statewide evaluation of the doctoral programs implemented under the bill and to report the results of the evaluation, in writing, to the Legislature and the Governor on or before January 1, 2011.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 4.5 (commencing with Section 66040) is
2 added to Chapter 2 of Part 40 of the Education Code, to read:

3

4 Article 4.5. Doctoral Programs in Education

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6 66040. The Legislature finds and declares both of the
7 following:

8 (a) Since its adoption in 1960, the Master Plan for Higher
9 Education has served the state exceedingly well, allowing
10 California to create the largest and most distinguished higher
11 education system in the nation. A key component of the Master
12 Plan is the differentiation of mission and function, whereby
13 doctoral and identified professional programs are limited to the
14 University of California, with the provision that the California
15 State University can provide doctoral education in joint doctoral

1 degree programs with the University of California and
2 independent California colleges and universities. This
3 differentiation of function has allowed California to provide
4 universal access to postsecondary education while preserving
5 quality.

6 (b) Because of the urgent need for well-prepared
7 administrators to lead public school and community college
8 reform efforts, the State of California is hereby making an
9 exception to the differentiation of function in graduate education
10 that assigns ~~exclusive~~ *sole* authority among the California public
11 higher education segments to the University of California for
12 awarding doctoral degrees independently. This exception to the
13 Master Plan for Higher Education recognizes the urgency of
14 meeting critical public school and community college leadership
15 needs and the distinctive strengths and respective missions of the
16 California State University and the University of California.

17 66040.3. (a) Pursuant to Section 66040, and notwithstanding
18 Section 66010.4, in order to meet specific educational leadership
19 needs in the California public schools and community colleges,
20 the California State University is authorized to award the Doctor
21 of Education (Ed.D.) degree ~~in accordance with~~ *as defined in* this
22 section. The authority to award degrees granted by this article is
23 limited to the discipline of education. The Doctor of Education
24 degree offered by the California State University shall be
25 distinguished from doctoral degree programs at the University of
26 California ~~by its adherence to the requirements of subdivision~~
27 ~~(b)~~.

28 (b) The Doctor of Education degree offered by the California
29 State University shall be focused on preparing administrative
30 leaders for California public elementary and secondary schools
31 and community colleges and on the knowledge and skills needed
32 by administrators to be effective leaders in California public
33 schools and community colleges. The Doctor of Education
34 degree offered by the California State University shall be offered
35 through partnerships through which the California public
36 elementary and secondary schools and community colleges shall
37 participate substantively in program design, candidate
38 recruitment and admissions, teaching, and program assessment
39 and evaluation. This degree shall enable professionals to earn the
40 degree while working full time.

(c) Nothing in this article shall be construed to limit or preclude the California Postsecondary Education Commission from exercising its authority under Chapter 11 (commencing with Section 66900) to review, evaluate, and make recommendations relating to, any and all programs established under this article.

66040.5. With regard to funding the degree programs authorized in Section 66040.3, the California State University shall follow all of the following requirements:

(a) Funding on a per full-time equivalent student (FTES) basis for each new student in these degree programs shall be funded from within the California State University's ~~planned enrollment growth of 2.5 percent per year from 2006 to 2010, inclusive. After 2010, enrollments for these programs shall be within enrollment growth levels agreed to by the California State University with the Governor and the Legislature. Enrollments in enrollment growth levels as agreed to in the annual Budget Act.~~ *Enrollments* in these programs shall not alter the California State University's ratio of graduate instruction to total enrollment, and shall not come at the expense of enrollment growth in university undergraduate programs. Funding provided from the state for each FTES shall be at the agreed-upon marginal cost calculation that the California State University receives.

(b) Each student in the programs authorized by this article shall be charged fees no higher than the rate charged for students in state-supported doctoral degree programs in education at the University of California, including joint Ed.D. programs of the California State University and the University of California.

(c) The California State University shall provide any startup funding needed for the programs authorized by this article from within existing budgets for academic programs support, without diminishing the quality of program support offered to California State University undergraduate programs. Funding of these programs shall not result in reduced undergraduate enrollments at the California State University.

66040.7. The California State University, the Department of Finance, and the Legislative Analyst's Office shall jointly conduct a statewide evaluation of the new programs implemented under this article. The results of the evaluation shall be reported, in writing, to the Legislature and Governor on or before January

1 1, 2011. The evaluation required by this section shall consider all
2 of the following:

3 (a) The number of new doctoral programs in education
4 implemented, including information identifying the number of
5 new programs, applicants, admissions, enrollments, degree
6 recipients, time-to-degree, attrition, and public school and
7 community college program partners.

8 (b) The extent to which the programs established under this
9 article are fulfilling identified state needs for training in
10 educational leadership, including statewide supply and demand
11 data that considers capacity at the University of California and in
12 California's independent colleges and universities.

13 (c) Information on the place of employment of students and
14 the subsequent job placement of graduates.

15 (d) Any available evidence on the effects that the graduates of
16 the programs are having on elementary and secondary school and
17 community college reform efforts and on student achievement.

18 (e) Program costs and the fund sources that were used to
19 finance these programs, including a calculation of cost per degree
20 awarded.

21 (f) The costs of the programs to students, the amount of
22 financial aid offered, and student debt levels of graduates of the
23 programs.

24 (g) The extent to which the programs established under this
25 article are in compliance with the requirements of this article.